IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2550 OF 2005

M/s.Choudhary Freight Carriers .. Petitioner.
V/s.
The Commissioner of Income-tax-IV, Pune & Another .. Respondents.

Mr.K. Gopal i/b. M/s.Inter-Asia Lawyers for the petitioner.

Mr.A.S. Rao for the respondents.

CORAM : V.C. DAGA &
J.P. DEVADHAR, JJ.

DATED : 26TH APRIL, 2005.

P.C. :

1. Heard. Rule. Returnable forthwith. By consent of the parties, the matter is taken up for final hearing.

2. The petitioner in this petition has impugned the order dated March 10, 2005 passed by the Commissioner of Income Tax - IV, Pune seeking to transfer the case of the petitioner from Assessing Officer, Solapur to Jodhpur. It is not in dispute that the said order has been passed without following principles of natural justice.

3. In this view of the matter, by consent of the parties the impugned order is quashed and set aside

and the proceedings are remitted back to the respondent No.1 for passing appropriate order in accordance with law following principles of natural justice.

4. The petition, accordingly, stands disposed of. Rule is made absolute in terms of this order with no order as to costs.

5. C.C. expedited.

(V.C. DAGA, J.)

(J.P. DEVADHAR, J.)